

UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re ARTHUR CHARLES CRUZ AND
MICHELE YVETTE CRUZ, AKA MICHELLE Y. CRUZ
Debtors

Case No. 11-34724-H1-13

Chapter 13

Notice of Mortgage Payment Change

If you file a claim secured by a security interest in the debtor's principal residence provided for under the debtor's plan pursuant to § 1322(b)(5), you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor: Christiana Trust, a Division of Wilmington
Savings Fund Society, FSB, as Trustee for
Stanwich Mortgage Loan, Series 2012-10

Court claim no. (if known): 15

Last four digits of any number
you use to identify the debtor's
account: xxxxxx9565

Date of payment change:

Must be at least 21 days after date of March 1, 2015
this notice mm/dd/yyyy

New total payment:

Principal, interest, and escrow, if any \$ 1,952.88

Part 1: Escrow Account Payment Adjustment

Will there be a change in the debtor's escrow account payment?

☐ No☒ Yes

Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: _____

Current escrow payment: \$ 418.82New escrow payment: \$ 431.64

Part 2: Mortgage Payment Adjustment

Will the debtor's principal and interest payment change based on an adjustment to the interest rate in the debtor's variable-rate note?

☒ No☐ Yes

Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: _____

Current interest rate: _____ %

New interest rate: _____ %

Current principal and interest payment: \$ _____

New principal and interest payment: \$ _____

Part 3: Other Payment Change

Will there be a change in the debtor's mortgage payment for a reason not listed above?

☒ No☐ Yes

Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change: _____

Current mortgage payment: \$ _____

New mortgage payment: \$ _____

B 10 (Supplement 1) (12/11)

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Part 4: Sign Here

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number if different from the notice address listed on the proof of claim to which this Supplement applies.

Check the appropriate box.

☒ I am the creditor.

☐ I am the creditor's authorized agent.
(Attach copy of power of attorney, if any.)

I declare under penalty of perjury that the information provided in this Notice is true and correct to the best of my knowledge, information, and reasonable belief.

Signature

Date

mm/dd/yyyy

Print:

First Name

Middle Name

Last Name

Title

Company

Address

Number

Street

City

State

ZIP Code

Contact phone

Email

CERTIFICATE OF SERVICE

I hereby certify that on February 5, 2015 a true and correct copy of the Notice of Mortgage Payment Change and Escrow Analysis shall be served via electronic means, if available, otherwise by regular, first class mail on February 5, 2015 to the following parties at the addresses indicated by deposit in the United States Mail, first class postage prepaid.

JOHN VINCENT BURGER
4151 SOUTHWEST FRWY, STE 770
HOUSTON, TX 77027
ATTORNEY FOR DEBTOR

DAVID G. PEAKE
9660 HILLCROFT, SUITE 430
HOUSTON, TX 77096-3856
CHAPTER 13 TRUSTEE

ARTHUR CHARLES CRUZ
MICHELE YVETTE CRUZ
AKA MICHELLE Y. CRUZ
817 GRACELAND STREET
HOUSTON, TX 77009
DEBTOR

Codilis & Stawiarski, P.C.
/s/ Angela K. Randermann
Angela K. Randermann SBOT 24029787 (31688)
ATTORNEYS FOR SECURED CREDITOR

44-14-2636
XXXXXX9565
CRUZ, ARTHUR CHARLES
Home Equity



314 S. Franklin Street, 2nd Floor
P.O. Box 517
Titusville, PA 16354
1-800-327-7861
www.bsifinancial.com

Annual Escrow Account Disclosure Statement

ACCOUNT NUMBER 65

DATE: 01/23/15

ARTHUR C CRUZ
MICHELLE Y CRUZ
817 GRACELAND ST
HOUSTON, TX 77009

PROPERTY ADDRESS
817 GRACELAND ST
HOUSTON, TX 77009

PLEASE REVIEW THIS STATEMENT CLOSELY - YOUR MORTGAGE PAYMENT MAY BE AFFECTED. THIS STATEMENT TELLS YOU OF ANY CHANGES IN YOUR MORTGAGE PAYMENT, ANY SURPLUS REFUNDS, OR ANY SHORTAGE YOU MUST PAY. IT ALSO SHOWS YOU THE ANTICIPATED ESCROW ACTIVITY FOR YOUR ESCROW CYCLE BEGINNING 03/01/2015 THROUGH 02/29/2016.

----- ANTICIPATED PAYMENTS FROM ESCROW 03/01/2015 TO 02/29/2016 -----

HOMEOWNERS INS	\$2,290.00
COUNTY TAX	\$2,889.68
TOTAL PAYMENTS FROM ESCROW	\$5,179.68
MONTHLY PAYMENT TO ESCROW	\$431.64

----- ANTICIPATED ESCROW ACTIVITY 03/01/2015 TO 02/29/2016 -----

ANTICIPATED PAYMENTS			ESCROW BALANCE COMPARISON		
MONTH	TO ESCROW	FROM ESCROW	DESCRIPTION	ANTICIPATED	REQUIRED
			STARTING BALANCE -->	\$2,126.84	\$1,294.92
MAR	\$431.64			\$2,558.48	\$1,726.56
APR	\$431.64			\$2,990.12	\$2,158.20
MAY	\$431.64			\$3,421.76	\$2,589.84
JUN	\$431.64			\$3,853.40	\$3,021.48
JUL	\$431.64			\$4,285.04	\$3,453.12
AUG	\$431.64			\$4,716.68	\$3,884.76
SEP	\$431.64			\$5,148.32	\$4,316.40
OCT	\$431.64			\$5,579.96	\$4,748.04
NOV	\$431.64			\$6,011.60	\$5,179.68
DEC	\$431.64			\$6,443.24	\$5,611.32
JAN	\$431.64	\$2,290.00	HOMEOWNERS INS	\$4,584.88	\$3,752.96
		\$2,889.68	COUNTY TAX	L1-> \$1,695.20	L2-> \$863.28
FEB	\$431.64			\$2,126.84	\$1,294.92

----- DETERMINING THE SUFFICIENCY OF YOUR ESCROW BALANCE -----

IF THE ANTICIPATED LOW POINT BALANCE (L1) IS GREATER THAN THE REQUIRED BALANCE (L2), THEN YOU HAVE AN ESCROW SURPLUS. YOUR ESCROW SURPLUS IS \$831.92.

CALCULATION OF YOUR NEW PAYMENT

PRIN & INTEREST	\$1,521.24
ESCROW PAYMENT	\$431.64
NEW PAYMENT EFFECTIVE 03/01/2015	\$1,952.88

YOUR ESCROW CUSHION FOR THIS CYCLE IS \$863.28.

***** Continued on reverse side *****



IF YOUR SURPLUS IS \$50 OR GREATER, BSI FINANCIAL SERVICES WILL SEND YOU A REFUND CHECK, PROVIDED YOUR LOAN IS CURRENT.

IF YOUR SURPLUS IS LESS THAN \$50, THE FUNDS WILL REMAIN IN YOUR ESCROW ACCOUNT.

***** Continued from front *****

ACCOUNT HISTORY

THIS HISTORY STATEMENT COMPARES YOUR PRIOR ANALYSIS CYCLE PROJECTED ESCROW ACTIVITY TO THE ACTUAL ESCROW ACTIVITY BEGINNING 03/01/2014 AND ENDING 02/28/2015. IF YOUR LOAN WAS PAID-OFF, ASSUMED OR TRANSFERRED DURING THIS PRIOR CYCLE, OR THE COMPUTATION YEAR IS BEGING CHANGED, ACTUAL ACTIVITY STOPS AT THAT POINT. THIS STATEMENT IS INFORMATION ONLY AND REQUIRES NO ACTION ON YOUR PART.

YOUR PAYMENT BREAKDOWN AS OF 03/01/2014 IS:

PRIN & INTEREST	\$1,521.24
ESCROW PAYMENT	\$467.28
BORROWER PAYMENT	\$1,988.52

MONTH	PAYMENTS TO ESCROW		PAYMENTS FROM ESCROW		DESCRIPTION	ESCROW BALANCE	
	PRIOR PROJECTED	ACTUAL	PRIOR PROJECTED	ACTUAL		PRIOR PROJECTED	ACTUAL
JUL	\$0.00	\$5,310.04 *			STARTING BALANCE	\$0.00	\$0.00
JAN	\$0.00	\$0.00		\$2,290.00 *	HOMEBOWNERS INS	\$0.00	\$5,310.04-
	\$0.00	\$5,310.04	\$0.00	\$2,290.00		\$0.00	A-> \$7,600.04-

UNDER FEDERAL LAW, WHEN YOUR ACTUAL ESCROW BALANCE REACHED THE LOWEST POINT, THAT BALANCE WAS TARGETED NOT TO EXCEED 1/6TH OF THE ANNUAL PROJECTED DISBURSEMENTS. YOUR LOAN DOCUMENTS OR STATE LAW MAY SPECIFY THAT YOUR LOWEST BALANCE MUST BE A LOWER AMOUNT THAN THE FEDERAL LAW ALLOWS.

UNDER YOUR MORTGAGE CONTRACT OR STATE OR FEDERAL LAW, YOUR TARGETED LOW POINT BALANCE (T) WAS \$0.00. YOUR ACTUAL LOW POINT ESCROW BALANCE (A) WAS \$7,600.04-.

BY COMPARING THE ANTICIPATED ESCROW TRANSACTIONS WITH THE ACTUAL TRANSACTIONS YOU CAN DETERMINE WHERE A DIFFERENCE MAY HAVE OCCURRED. AN ASTERISK (*) INDICATES A DIFFERENCE IN EITHER THE AMOUNT OR DATE OF THE PROJECTED ACTIVITY THAT HAS NOT YET OCCURRED DUE TO THE DATE OF THIS STATEMENT.

IF THERE ARE NO PRIOR PAYMENTS TO OR FROM ESCROW SHOWN, THERE WAS NO PRIOR PROJECTION TO WHICH THE ACTUAL ACTIVITY COULD BE COMPARED.

Determining your Shortage or Surplus**Shortage:**

Any shortage in your escrow account is usually caused by one the following items:

- An increase, if any, in what was paid for insurance and/or taxes from your escrow account.
- A projected increase in taxes for the upcoming year.
- The number of months elapsed from the time of these disbursements to the new payment effective date.

Shortages are divided evenly of the next twelve months. To reduce the increase in your monthly payment, the shortage can be paid either partially or in full.

Surplus:

A surplus in your escrow account is usually caused by one the following items:

- The insurance/taxes paid during the past year were lower than projected.
- A refund was received from the taxing authority or insurance carrier.
- Additional funds were applied to your escrow account.

If your surplus is \$50.00 or greater and your loan was contractually current at the time when the analysis was run or calculated, a check will be sent to you. If your surplus is less than \$50.00, the funds will be retained in your escrow account.